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SUBJECT: LESOTHO: POST ELECTION CONFERENCE

REF: MASERU 183 AND PREVIOUS

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11. Summary: The Lesotho Council of NGOs (LCN) hosted a two-day conference on Post 2007 National Assembly Elections from March 26 to 27, 2007. The Conference was aimed at reflecting on Lesotho's February 17 2007 National Assembly elections and beyond so as to facilitate the process of learning and improving election management in Lesotho. The main topics discussed were: Challenges of managing and organizing the 2007 National Assembly Snap Elections, Perspectives and reflections of political party leaders on the Conduct of 2007 elections, Deepening the culture of democracy through Elections Observations - reflections of the Civil Society Organizations on the conduct of 2007 elections, and Safe-guarding Mixed Member Proportion (MMP) Electoral Model: Prospects and Challenges for Lesotho Model. The conference was attended by Civil Society Organizations (CSOs) the Independent Electoral Commission (IEC), Political Parties, academics from the National University of Lesotho (NUL), the Ombudsman, Anti Corruption Unit, Diplomatic Corps (the DCM represented the Embassy), the National Democratic Institute (NDI), Electoral Institute of Southern Africa (EISA), trade unions and other stakeholders. End summary.

12. Perspectives and reflections of the political party leaders

The majority of the political parties were unsatisfied about the preparedness of IEC for the past elections. The IEC came under heavy criticism for its inability to conduct elections as expected by the stakeholders, especially on the following: preparation of a complete and comprehensive voters list, voter education, training of polling staff and party agents, monitoring of the use of media for party campaigns, enforcement of the elections code of conduct, distribution of voting materials, vote count and result tabulation.

---The formation of alliances was also seen as one of the problems as it compromised the spirit of Mixed Member Proportion (MMP) as an electoral model. (Although there have been no objections to alliances by opposition parties, only to the winning LCD party).

--- Allocation of proportional seats in the Parliament was also cited as a major problem. Opposition parties argued that the existing formula for allocation of the seats was not followed and has to be rectified. (reftel: Maseru 160).

¶3. Deepening the culture of democracy through election observation

Reflections of the civil society organizations on the conduct of the February 17 election.

According to LCN, the 2007 National Assembly elections were organized under circumstances and conditions that presented enormous pressure on all actors involved in the process. The unexpectedly early dissolution of parliament stretched capacity of all actors way beyond their limits. The following are the issues raised by LCN on observation of elections:

--- Voters' registration: Practicalities of registration management challenged the capacity of the IEC in the context of the then prevailing political situation. Note: Early dissolution of Parliament was seen by some observers as a strategy by the ruling party to impede or short circuit the attempts of the All Basotho Convention (ABC) to register the aspiring supporters and the first time voting enthusiasts. (Reftel: Maseru 069 and 075)

--- Voter education: IEC officials who were stationed at the polling stations demonstrated lack of adequate training especially on the procedure of elections. Counting in many polling stations was reported to have been time consuming as a result of polling officials re-checking their manuals, seeking assistance from observers and in the process committing a number of errors.

--- Distribution of Election Materials: Some polling stations had no adequate materials supplied. The materials missing in some of the polling stations included: envelopes for ballots not supplied until 16:46 pm on polling day, declaration forms, envelope seals and ballot stickers, watches, pens, torches, red

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padlocks, container for counter foils, ballot box stickers.

--- Enforcement of Code of Conduct: The National Assembly Elections Act regulates campaigning and the general conduct of all actors in elections. While generally there was respect of the code of conduct and provisions of the law that govern campaigning; also that polling day generally went on under a smooth atmosphere, there were critical issues to note, which if not well attended could compromise the otherwise fragile process of building confidence of people in election management.

These issues include the use of government vehicles by ministers for campaigning needs further deliberations to determine whether it is fair. For example, ministers used government vehicles to pick up their supporters to rallies and to round up their constituencies. Such service is at times extended to other constituencies to help candidates of the ruling party. This act presented very clearly unfair competition between the party in government on the one hand and other competing political parties on the other.

¶4. Safeguarding the MMP model: Prospects and challenges for Lesotho Electoral Model

Dr. Khabele Matlosa (Lesotho national), Senior Advisor Research, EISA based in Johannesburg, South Africa made the following observations:

---The 2007 general election in Lesotho has posed various challenges for the country's electoral and party systems; the key challenge in regard to the electoral system relates to how the original intent of the MMP is being upheld. According to Matlosa Indications are that some of the MMP principles have been breached and there is need to correct this anomaly; The key challenge in regard to the party system is presented by fragmentation/splits within parties as well as the new trend of alliance/coalition formation; formation of alliances is good for democracy especially under conditions of PR and/or MMP. However, these alliances must be regulated in order to strengthen democracy. Lesotho to uphold principles of democracy of the MMP system and to avoid turning it into a parallel system.

15. Comment

The participants deemed the conference as an important step in addressing the country's political problems through dialogue. Most of the speakers emphasized the essence of dialogue and encouraged all stakeholders to pursue this in earnest in order to bring tangible results. The DCM made a key note address on behalf of the Ambassador. He highlighted the electoral assistance provided by USG to various stakeholders through U.S.A.I.D. Regional Center for Southern Africa (RCSA) and directly from the Embassy. The DCM concluded by emphasizing the need for dialogue in addressing problems facing the country. Other recommendations included the need for a wider voter education; especially on the MMP model (which took New Zealand four (4) electoral cycles to perfect, according to the head of the Commonwealth Observer Delegation); enhanced capacity building for IEC; fostering political maturity by institutionalizing dialogue among all stakeholders on Lesotho politics; introduction of ID system to replace the voters' roll; and finally, the participants stressed that the Electoral Code of Conduct needs to be enforced by all parties. Some local and regional observers are concerned about the attitude of the Southern African Development Community (SADC) in addressing the political problems facing the region. They accused the organization of lack of commitment in making realistic proposals which could produce concrete results. However since the team will only be arriving the week of April 02, it is difficult to predict the outcome.

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